

FILED

JUN -5 PM 3: 38

**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Larry Richards, Pro Se, In Propria Persona,
2625 Alcatraz Avenue #317, Berkeley,
California 94705-2702, AND IN CARE OF:
Ms. Georgeana Roussos, 77 McAllister, Second
Floor, San Francisco, California 94102,
Plaintiff, Pro Se,

Vs.

1.) MICHAEL J. ASTRUE, COMMISSIONER,
Social Security Administration, And
2. -50.) DOE(S) defendants, named, unknown
persons, In Care Of: UNITED STATES
ATTORNEY, Attention: Social Security
Defense Attorney, 450 Golden Gate, San
Francisco, California 94102,
Defendants, Et. Al.

Case No.: **CV-08-1532MMC**
PJH ?
OR SBA ?
No now it is MMC!!

Pro Se Plaintiff Larry Richards'

PARTIAL motion for
enlargement of time
withinwhich to file

EITHER

**REQUEST FOR PERMISSION TO FILE
MOTION FOR RECONSIDERATION, or in
the alternative MOTION FOR
ENLARGEMENT OF TIME TO FILE
NOTICE OF INTENT TO APPEAL OR IN
THE ALTERNATIVE, NOTICE OF
INTENT TO APPEAL BY RIGHT AND
DESIGNATION OF RECORD ON APPEAL**

Plaintiff's MOTION FOR ENLARGEMENT OF TIME TO FILE:

COMES NOW, the absolutely stunned, shell-shocked, Pro Se, In Propria Persona, Plaintiff
Larry Richards and HEREBY, STATES THAT this Honourable Court has willfully refused to
observe the CLEAR FACTS of this case: and refuses to acknowledge that it is a Civil Rights
case, which it is REQUIRED to HEAR; and clearly refuses to acknowledge that this FIRST
AMENDMENT ABSOLUTE RIGHT TO PETITION THE GOVERNMENT FOR A REDRESS
OF GRIEVANCES!! AND PLAINTIFF WONDERS WHAT PART OF THE FIRST
AMENDMENT THE COURT DOES NOT UNDERSTAND. PLAINTIFF IS ABSOLUTELY
APOPLECTIC AND WONDERS IF THE JUDGE WHO HAS WILLFULLY DENIED
PLAINTIFF'S ABSOLUTE CONSTITUTIONAL RIGHTS, WILL EVEN FAIRLY

1 CONSIDER A MOTION FOR RECONSIDERATION. IF THE COURT WILL FAIRLY
 2 CONSIDER. A MOTION FOR RECONSIDERATION IT MAY CONSTRE THIS FILING AS
 3 A MOTION FOR PERMISSION TO FILE A MOTION FOR RECONSIDERATION – BUT
 4 THE PLAINTIFF MUST HAVE AN EXTENSION OF TIME WITHIN WHICH TO WRITE
 5 SUCH RECONSIDERATION UNTIL AT LEAST AUGUST 1, 2008! PLAINTIFF IS SO
 6 APOPLECTIC WITH THIS JUDGE HE DOES NOT KNOW WHETHER TO APPEAL OR TO
 7 INCLUDE HER IN A NEW CIVIL SUIT BECAUSE OF HER ABSOLUTE FAILURE TO
 8 FOLLOW 42 USC, 1983, 1985, AND 1986 IN IT'S RACIST, DISCRIMINATORY REFUSAL
 9 TO PROTECT A DISABLED PERSON WHO IS ENTITLED TO SPECIAL PROTECTION
 10 OF THE COURT.

11 THE TIME-LIMITS VARY WIDELY AND PLAINTIFF IS UNABLE TO COMPLY
 12 WITH ANY OF THEM DUE TO THE SEVER STRESS AND APOPLECTIC RAGE THAT
 13 THIS COURT HAS SENT HIM INTO. IF THIS WERE A STRAIGHT APPEAL PLAINTIFF
 14 HAS 60 DAYS IF IT IS SOMETHING ELSE, FOR EXAMPLE IF THE COURT WILL
 15 FAIRLY ENTERTAIN A RULE 60 OR 59 MOTION; OR A REQUEST FOR
 16 RECONSIDERATION, THEN AGAIN THE TIME LIMITS ARE DIFFERENT. AND IN
 17 ANY CASE THE PLAINTIFF NEEDS AN EXTENSION OF TIME AND GUIDANCE AS TO
 18 WHAT THE COURT WILL FAIRLY HEAR. **THEREFORE:** PLAINTIFF ASKS: DO YOU
 19 WANT TO FAIRLY REEVALUATE THE HEINOUS DECISIONS THAT YOU HAVE
 20 MADE?; OR WOULD YOU PREFER TO JUST JOIN THE OTHER DEFENDANTS IN
 21 DESTROYING THIS INNOCENT PLAINTIFF?; OR DO YOU JUST WANT TO GO
 22 STRAIGHT TO APPEAL TO THE HIGHER COURT?; TELL ME WHAT YOU WANT TO
 23 HEAR AND PLAINTIFF WILL COMPLY!

24 THIS COMPLAINT IS STILL INCOMPLETE AND I AM UNDER TOO MUCH STRESS TO
 25 WRITE MORE AT THIS TIME, I WILL WRITE MORE AS I AM ABLE AND I RESERVE
 26 MY WRITE TO AMEND THIS COMPLAINT IN THE FUTURE.

27 **RESPECTFULLY SUBMITTED:**

All rights reserved over all of the above pursuant to UCC 1 – 207
 Signed, Sworn, and Dated in San Francisco, California on this
 Monday, the 26TH day of Mayl, in the 2008th year of our Lord.

28 BY: 

Larry Richards, Pro Se, In Propria Persona, Counsel of Record for the Plaintiff: Larry Richa
 and IF APPOINTED PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT:

Ms. Georgeana K. Roussos, 77 McAllister, Second Floor; San Francisco, California 94102

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ADRMOP, APPEAL, E-Filing, ProSe

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:08-cv-01532-MMC
Internal Use Only**

Richards v. Astrue
Assigned to: Hon. Maxine M. Chesney
Cause: 42:1981 Civil Rights

Date Filed: 03/19/2008
Date Terminated: 05/05/2008
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government
Defendant

Plaintiff**Larry Richards**

represented by **Larry Richards**
2625 Alcatraz Avenue
#317
Berkeley, CA 94705-2702
PRO SE

V.

Defendant

Michael J. Astrue
Commissioner of Social Security

Date Filed	#	Docket Text
03/19/2008	<u>1</u>	COMPLAINT /no process against Michael J. Astrue. Filed by Larry Richards. (ga, COURT STAFF) (Filed on 3/19/2008) (Additional attachment(s) added on 3/24/2008: # <u>1</u> Civil Cover Sheet) (far, COURT STAFF). (Entered: 03/20/2008)
03/19/2008	<u>2</u>	MOTION for Leave to Proceed in forma pauperis filed by Larry Richards. (ga, COURT STAFF) (Filed on 3/19/2008) (far, COURT STAFF). (Entered: 03/20/2008)
03/19/2008	<u>3</u>	ADR SCHEDULING ORDER: Case Management Conference set for 6/25/2008 10:30 AM. Case Management Statement due by 6/18/2008.. Signed by Judge James Larson on 3/19/08. (ga, COURT STAFF) (Filed on 3/19/2008) (far, COURT STAFF). (Entered: 03/20/2008)
03/19/2008	<u>4</u>	Declination to Proceed Before a U.S. Magistrate Judge by Larry Richards. (ga, COURT STAFF) (Filed on 3/19/2008) (far, COURT STAFF). (Entered: 03/20/2008)

03/19/2008	5	EMERGENCY MOTION for Temporary Restraining Order filed by Larry Richards. (ga, COURT STAFF) (Filed on 3/19/2008) (far, COURT STAFF). (Entered: 03/20/2008)
03/19/2008		CASE DESIGNATED for Electronic Filing. (ga, COURT STAFF) (Filed on 3/19/2008) (Entered: 03/20/2008)
03/20/2008	6	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (wh, COURT STAFF) (Filed on 3/20/2008) (Entered: 03/20/2008)
03/21/2008	7	ORDER REASSIGNING CASE. Case reassigned to Hon. Phyllis J. Hamilton for all further proceedings. Magistrate Judge James Larson no longer assigned to the case. Signed by Executive Committee on 3/21/08. (ha, COURT STAFF) (Filed on 3/21/2008) (Entered: 03/21/2008)
03/26/2008	8	ORDER Directing Reassignment of Retired Judge Case. Signed by Judge Hamilton on 3/26/2008. (pjhlc2, COURT STAFF) (Filed on 3/26/2008) (Additional attachment(s) added on 3/27/2008: # 1 Certificate of Service) (nah, COURT STAFF). (Entered: 03/26/2008)
04/01/2008	9	REFERRAL FOR PURPOSE OF DETERMINING RELATIONSHIP. Signed by Judge Phyllis J. Hamilton on 4/1/08. (nah, COURT STAFF) (Filed on 4/1/2008) (Additional attachment(s) added on 4/1/2008: # 1 Certificate of Service) (nah, COURT STAFF). (Entered: 04/01/2008)
04/03/2008	10	EX PARTE MOTION for the Court to Include a De Novo Hearing in C98-4132 CAL filed by Larry Richards. (far, COURT STAFF) (Filed on 4/3/2008) (Entered: 04/04/2008)
04/03/2008	11	EX PARTE MOTION for the Court to Order the United States Marshals to Serve the Defendants filed by Larry Richards. (far, COURT STAFF) (Filed on 4/3/2008) (Entered: 04/04/2008)
04/07/2008	12	ORDER by Judge Hamilton Granting IFP Application and Denying 5 10 TRO Request 11 (pjhlc2, COURT STAFF) (Filed on 4/7/2008) (Additional attachment(s) added on 4/8/2008: # 1 Certificate of Service) (nah, COURT STAFF). (Entered: 04/07/2008)
04/07/2008	13	ORDER by Judge Phyllis J. Hamilton granting 2 Motion for Leave to Proceed in forma pauperis (nah, COURT STAFF) (Filed on 4/7/2008) (Additional attachment(s) added on 4/8/2008: # 1 Certificate of Service) (nah, COURT STAFF). (Entered: 04/08/2008)
04/09/2008	14	Summons Issued as to Michael J. Astrue, U.S. Attorney and U.S. Attorney General (Attachments: # 1 USM-285.ATTY.GEN.USDOJ, # 2 USM-285.CIVIL.PROCESS.CLERK.USAG, # 3 USM-285.SSA.OFFICE.Gen.Counsel)(far, COURT STAFF) (Filed on 4/9/2008) (Entered: 04/09/2008)
04/21/2008	15	SUMMONS Returned Executed by Larry Richards. Michael J. Astrue served on 4/16/2008, answer due 7/15/2008. (far, COURT STAFF) (Filed on 4/21/2008) (Entered: 04/22/2008)
04/22/2008	16	ORDER OF RECUSAL. Signed by Judge ARMSTRONG on 4/21/08. (lrc,

		COURT STAFF) (Filed on 4/22/2008) (Entered: 04/22/2008)
04/22/2008	17	EX PARTE MOTION to appear by telephone filed by Larry Richards. (far, COURT STAFF) (Filed on 4/22/2008) (Entered: 04/23/2008)
04/22/2008	18	Received Document: Better Explanations of Complaint; Additions to Complaint; and Brief of Oral Arguments at Hearing in Support of a Temporary Restraining Order by Larry Richards. (far, COURT STAFF) (Filed on 4/22/2008) (Entered: 04/23/2008)
04/22/2008	19	EX PARTE MOTION to Retrieve Case Number CV-98-4132 CAL from Storage and NOTICE of RELATED CASE (CV-98-4132 CAL) filed by Larry Richards. (far, COURT STAFF) (Filed on 4/22/2008) (Entered: 04/23/2008)
04/22/2008	20	EX PARTE MOTION to Appoint an Attorney filed by Larry Richards. (far, COURT STAFF) (Filed on 4/22/2008) (Entered: 04/23/2008)
04/29/2008	21	Received Document: Partial Addendum to 1 Complaint by Larry Richards. (far, COURT STAFF) (Filed on 4/29/2008) (Entered: 04/30/2008)
04/29/2008	22	EX PARTE MOTION for extreme leniency for the Court Rules and Federal Rules of Civil Procedure Because of the Extreme Severe Disabilities of the Pro Se Plaintiff and his Inability to Comply with Time Limits in this Case filed by Larry Richards. (far, COURT STAFF) (Filed on 4/29/2008) (Entered: 04/30/2008)
04/29/2008	23	EX PARTE MOTION for the Court to Immediately Appoint a Second Attorney filed by Larry Richards. (far, COURT STAFF) (Filed on 4/29/2008) (Entered: 04/30/2008)
04/30/2008	24	RELATED CASE ORDER. Richards v. Apfel, C-98-4132 MMC, is related to Richards v. Astrue, C-08-1532 PJH. The Clerk is ordered to reassign the later-filed action to the undersigned. All future filings in the later-filed action are to bear the initials MMC immediately after the case number. Signed on April 30, 2008 by Judge Maxine M. Chesney. (mmclcl, COURT STAFF) (Filed on 4/30/2008) (Entered: 04/30/2008)
05/01/2008		Case Reassigned to Judge Hon. Maxine M. Chesney. Judge Hon. Phyllis J. Hamilton no longer assigned to the case. Signed by Executive Committee on 5/1/08. (mab, COURT STAFF) (Filed on 5/1/2008) (Entered: 05/01/2008)
05/05/2008	25	ORDER DENYING PLAINTIFF'S MOTIONS FOR APPOINTMENT OF COUNSEL. Signed by Judge Maxine M. Chesney on May 5, 2008. (mmclcl, COURT STAFF) (Filed on 5/5/2008) (Entered: 05/05/2008)
05/05/2008	26	ORDER DISMISSING ACTION. Signed by Judge Maxine M. Chesney on May 5, 2008. (mmclcl, COURT STAFF) (Filed on 5/5/2008) (Additional attachment(s) added on 5/6/2008: # 1 Certificate of Service) (aaa, Court Staff). (Entered: 05/05/2008)
05/05/2008	27	JUDGMENT : The plaintiff's complaint is hereby DISMISSED without leave to amend. (tl, COURT STAFF) (Filed on 5/5/2008) (Additional attachment(s) added on 5/6/2008: # 1 Certificate of Service) (aaa, Court

		Staff). (Entered: 05/05/2008)
05/06/2008		Sent by U.S. Mail a copy of 26 Order and 27 Judgment to Plaintiff and to the United States Attorney. (aaa, Court Staff) (Filed on 5/6/2008) (Entered: 05/06/2008)
05/19/2008	28	SUMMONS Returned Executed by Larry Richards. As to Attorney General, U.S.C.O.J. served on 4/21/08, answer due 7/21/08. (aaa, Court Staff) (Filed on 5/19/2008) (Entered: 05/21/2008)
06/05/2008	30	NOTICE OF APPEAL as to 26 Order Dismissing Case, 27 Judgment by Larry Richards. Re 29 Order (aaa, Court Staff) (Filed on 6/5/2008) (Entered: 06/06/2008)
06/06/2008	29	ORDER DENYING PLAINTIFF'S "PARTIAL MOTION FOR ENLARGEMENT OF TIME"; CERTIFYING NOTICE OF APPEAL AS NOT TAKEN IN GOOD FAITH; DIRECTIONS TO CLERK. To the extent plaintiff seeks an enlargement of time to file a motion for reconsideration or a notice of appeal, the motion is denied. Plaintiff has requested, in the alternative, that his filing be considered a "Notice of Intent to Appeal by Right and Designation of Record on Appeal," which the Court construes as a notice of appeal. The Court certifies the instant notice of appeal is not taken in good faith. The Clerk is directed to forward to the Ninth Circuit Court of Appeals plaintiff's filing of June 5, 2008, construed as a notice of appeal, along with a copy of the instant order. Signed by Judge Maxine M. Chesney on June 6, 2008. (mmclcl1, COURT STAFF) (Filed on 6/6/2008) (Entered: 06/06/2008)
06/06/2008	31	Transmission of Notice of Appeal, Cover Letter and Docket Sheet to US Court of Appeals re 30 Notice of Appeal (aaa, Court Staff) (Filed on 6/6/2008) (Additional attachment(s) added on 6/6/2008: # 1 Transmittal Form) (aaa, Court Staff). (Entered: 06/06/2008)
06/06/2008	32	Certificate of Record Mailed to USCA re appeal 30 Notice of Appeal : (aaa, Court Staff) (Filed on 6/6/2008) (Entered: 06/06/2008)